

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**05 CR 10027 MLW**

UNITED STATES OF AMERICA

V.

1. LEO J. CAMBRIA, JR.
2. GINA CAPODILUPO,  
a/k/a "Gina Cambria"
3. DEBRA TAMBURINO,

Defendants

) Criminal Number:  
)  
) Violation:  
)  
) 21 U.S.C. § 846 -  
) Conspiracy to Possess with  
) Intent to Distribute and  
) to Distribute  
) Methamphetamine and  
) Oxycodone  
)  
)  
)  
)

INDICTMENT

COUNT ONE: (Title 21, United States Code, Section 846 --  
Conspiracy to Possess With Intent to Distribute  
and to Distribute Methamphetamine and Oxycodone)

The Grand Jury charges that:

From a date unknown, but no later than on or about July 22,  
2004, to on or about October 28, 2004, at Malden, Revere, Lynn,  
and elsewhere in the District of Massachusetts, in the District  
of Arizona, and elsewhere,

1. LEO J. CAMBRIA, JR.,
2. GINA CAPODILUPO,  
a/k/a "Gina Cambria," and
3. DEBRA TAMBURINO

defendants herein, knowingly and intentionally combined,  
conspired, and agreed, with each other and with persons known and  
unknown to the Grand Jury, to possess with intent to distribute,

and to distribute, methamphetamine, a Schedule II controlled substance, and oxycodone, a Schedule II controlled substance. in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the conspiracy charged in Count One involved 50 grams or more of methamphetamine, a Schedule II controlled substance. Accordingly, 21 U.S.C. §841(b)(1)(A)(viii) is applicable to this Count.

All in violation of Title 21, United States Code, Section 846.

**CRIMINAL FORFEITURE ALLEGATION**  
**(21 U.S.C. § 853)**

The Grand Jury further charges that:

1. As a result of the offense alleged in Count One,

1. LEO J. CAMBRIA, JR.,  
2. GINA CAPODILUPO,  
a/k/a "Gina Cambria," and  
3. DEBRA TAMBURINO

defendants herein, shall forfeit to the United States for its use and benefit any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses, and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

2. If any of the forfeitable property described in paragraph 1 above, as a result of any act or omission of any defendant -

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

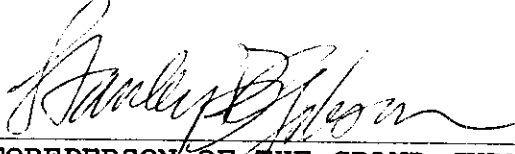
it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property


described in paragraph 1 of this paragraph.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL

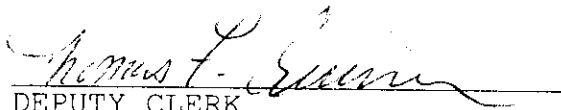
Deputy

  
FOREPERSON OF THE GRAND JURY

  
RACHEL E. HERSHFANG  
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS; February 9, 2005.

Returned into the District Court by the Grand Jurors  
and filed.

  
DEPUTY CLERK  
12:35 pm

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Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency USPIS

City Malden Related Case Information:

County Middlesex Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

Defendant Information:

Defendant Name Leo J. Cambria, Jr. Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address Tucson, AZ

Birth date (Year only): \_\_\_\_\_ SSN (last 4 #): \_\_\_\_\_ Sex M Race: Caucasian Nationality: USA

Defense Counsel if known: unknown Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

U.S. Attorney Information:

AUSA Rachel E. Hershfang Bar Number if applicable \_\_\_\_\_

Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_

Matter to be SEALED: ☒ Yes ☐ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: \_\_\_\_\_

☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_

☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_

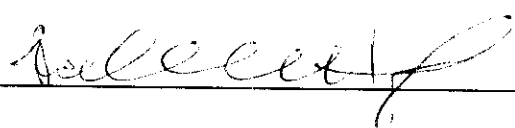
Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 02/07/05

Signature of AUSA: 

05 CR 10027 MLW

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Leo J. Cambria, Jr.

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. 846</u>	<u>Conspiracy to Possess with Intent to</u> <u>Distribute Methamphetamine and Oxycodone</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

05 CR 10027 MLW

## Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency USPISCity Malden Related Case Information:County Middlesex Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

## Defendant Information:

Defendant Name Gina M. Capodilupo Juvenile ☐ Yes ☒ NoAlias Name "Gina M. Cambria"Address 18 Joy Terrace, Malden, MABirth date (Year only): \_\_\_\_\_ SSN (last 4 #): \_\_\_\_\_ Sex F Race: Caucasion Nationality: USADefense Counsel if known: Alfred Farese, Jr. Address: 366 Broadway  
Everett, MA 02149

Bar Number: \_\_\_\_\_

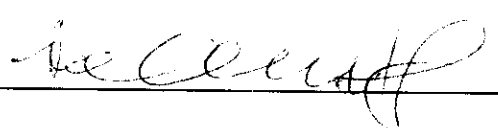
## U.S. Attorney Information:

AUSA Rachel E. Hershfang Bar Number if applicable \_\_\_\_\_Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Matter to be SEALED: ☒ Yes ☐ No☐ Warrant Requested ☒ Regular Process ☐ In Custody

## Location Status:

Arrest Date: 01/19/05☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by Swartwood, M.J. on 01/19/05Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

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JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Gina Capodilupo, a/k/a "Gina M. Cambria"

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Set 11	_____	_____	_____
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Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:



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Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

Defendant Information:

Defendant Name Debra A. Tamburino Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 45 Loomis Street, Apt. #220, Malden, MA

Birth date (Year only): \_\_\_\_\_ SSN (last 4 #): \_\_\_\_\_ Sex F Race: Caucasion Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

U.S. Attorney Information:

AUSA Rachel E. Hershfang Bar Number if applicable \_\_\_\_\_

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Date: 02/07/05

Signature of AUSA: Rachel E. Hershfang

03 CR 10027 MLW

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Debra Tamburino

## U.S.C. Citations

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